

**Amendments to the Claims:**

A listing of the entire set of pending claims (including amendments to the claims, if any) is submitted herewith per 37 CFR 1.121. This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently amended) A data recording/reproducing device provided with a processor for receiving data including video data, first additional information to control a copy of the video data and second additional information to control a type of recording and/or reproducing the video data and for processing the received data, the processor having a recording portion capable of carrying out recording in a permanent recording mode for permanently recording the received video data or in a temporary recording mode for temporarily recording the received video data, characterized in that said processor comprises:

means for receiving a user input for determining whether the video data is to be recorded with changing from the permanent recording mode to the temporary recording mode, without recording being performed in the permanent recording mode, when never copy information is received as the first additional information and information of the permanent recording mode is received as the second additional information; and

means for instructing to record the video data on the recording portion in the temporary recording mode when it is determined by said determining means to record the video data with changing to the temporary recording mode.

2. (Previously presented) The data recording/reproducing device as claimed in claim 1, characterized in that the video data is analog data.

3. (Previously presented) The data recording/reproducing device as claimed in claim 1, characterized in that said processor has an ability to perform recording and reproducing at the same time, and further comprises means for instructing to start reproducing the video data temporarily recorded on the recording portion before the end of recording in the temporary recording mode when the change from the permanent recording mode to the temporary recording mode is made and means for erasing the video data in the recording portion immediately after information about stop of storing in the temporary recording mode is received.

4. (Currently amended) A data processing method including processing input data including video data, first additional information to control a copy of the video data and second additional information to control a type of recording and/or reproducing the video data, in which recording can be carried out in a permanent recording mode for permanently recording the received video data or in a temporary recording mode for temporarily recording the received video data, characterized in that said processing includes:

|     receiving a user input for determining whether or not the video data is to be recorded with changing from the permanent recording mode to the temporary recording mode, without recording being performed in the permanent recording mode, when never copy information is received as the first additional information and information of the permanent recording mode is received as the second additional information; and

        instructing to record the video data in the temporary recording mode when it is determined to record the video data with changing to the temporary recording mode.

|   5. (Currently amended) A program recorded on a computer readable medium and operable on a computer for processing data including video data, first additional information to control a copy of the video data and second additional information to control a type of recording and/or reproducing of the video data, characterized in that said program comprises the functions for:

receiving a user input for determining whether the video data is to be recorded with changing from a permanent recording mode to a temporary recording mode, without recording being performed in the permanent recording mode, when never copy information is received as the first additional information and information of the permanent recording mode is received as the second additional information; and  
instructing to record the video data in the temporary recording mode when it is determined to record the video data with changing to the temporary recording mode.

6. (New) A video recording device comprising:

a receiving unit that is configured to receive video content and associated copy control information,

a recording unit that is configured to record the received video content regardless of the copy control information,

a presentation unit that is configured to present the recorded video content for display, to allow time-shifted playback of the received video content, and

an erasing unit that is configured to erase the recorded video content after a first presentation of the recorded video content if the copy control information indicates never-copy.

7. (New) The video recording device of claim 6, wherein the recording unit is selectively enabled and disabled based on a user input, and the video recording device is configured to solicit the user input upon receipt of copy control information that indicates never-copy.

8. (New) The video recording device of claim 6, wherein the erasing unit is also configured to erase the recorded video content if the recorded video content is not presented before an end of receiving the video content with copy control information that indicates never-copy.

9. (New) The video recording device of claim 6, wherein the recording unit is configured to record the received video content only if the presentation unit is enabled to present the recorded video content.

10. (New) The video recording device of claim 6, wherein the received video content is an analog audiovisual signal, and the associated copy control information is a macro-vision signal that is added to the analog audiovisual signal.

11. (New) The video recording device of claim 6, wherein the received video content is an analog audiovisual signal, and the associated copy control information is Copy Generation Management System (CGMS) data that is added to the analog audiovisual signal.

12. (New) The video recording device of claim 6, wherein the received video content is provided in a digitally encoded data stream, and the associated copy control information is included in a data field of the digitally encoded data stream.

13. (New) A method comprising:

- receiving a video stream corresponding to a video program and associated copy control information,

- recording the video stream while it is being received, regardless of the copy control information,

- playing back the recorded video stream for display based on user playback control commands, and

- erasing the video program after termination of the playing back of the video stream if the associated copy control information indicates never-copy.

14. (New) The method of claim 13, including requesting a user input if the associated copy control information indicates never-copy, and selectively enabling and disabling the recording of the video stream based on the user input.

15. (New) The method of claim 13, including erasing the video program if the playing back of the recorded video program is not commenced before an end of the receiving of the video program.

16. (New) The method of claim 13, wherein the recording of the video stream is enabled only if the playing back of the recorded video stream is enabled.

17. (New) The method of claim 13, wherein the received video stream is an analog audiovisual signal, and the associated copy control information is a macro-vision signal that is added to the analog audiovisual signal.

18. (New) The method of claim 13, wherein the received video stream is an analog audiovisual signal, and the associated copy control information is Copy Generation Management System (CGMS) data that is added to the analog audiovisual signal.

19. (New) The method of claim 13, wherein the received video stream is provided in a digitally encoded data stream, and the associated copy control information is included in a data field of the digitally encoded data stream.

20. (New) The method of claim 13, wherein the user playback control commands include a pause command, a rewind command, and a play command.